

March 3, 1994

LB 1183, 1287

to obtain prejudgment interest on liquidated claims without going through the procedures that are applicable to unliquidated claims and would have been the law prior to 1986 and everyone thought was the law prior to Knox v. Cook in 1989. If there are any questions, I'll be happy to try to respond.

SPEAKER WITHEM: Thank you, Senator Wickersham. Is there any discussion? Senator Landis, your light is on.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, the Banking Committee heard this measure. Those of us who have been to law school have heard the old saw that judges are law students who get to grade their own papers, and today Senator Wickersham gets to grade the papers of the Supreme Court. We may have had something to do with that by the lack of clarity in our own drafting, but he is exactly right that the conclusion that was drawn reaches a result we do not want to endorse, we want to change it. This is a very sound measure to return lucidity to our preimposed judgment interest rate statutes. I endorse his work in 1183 and it is the reason that this measure a Banking Committee priority. Thank you.

SPEAKER WITHEM: Thank you, Senator Landis. Any further discussion? Closing, Senator Wickersham. Senator Wickersham waives closing. The question is the advancement of LB 1183. All in favor vote aye, opposed vote nay. Record.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of LB 1183.

SPEAKER WITHEM: LB 1183 advances. LB 1287.

CLERK: LB 1287 offered by Senator Avery and others. (Read title.) The bill was introduced on January 20, referred to Retirement Systems, advanced to General File. There are committee amendments pending by the Retirement Committee.

SPEAKER WITHEM: Senator Wickersham, haven't heard you for a long time, so if you'd go ahead please, we'd like to hear from you.

SENATOR WICKERSHAM: Thank you, Mr. Speaker. This will probably be the shortest explanation. We simply changed the effective date of the legislation from 1994 to 1995, and if you will adopt that committee amendment, then Senator Avery and I will explain